

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

ENTERED ON DOCKET

10-20-10

IN RE:)	CHAPTER 7
)	
CHAD LAMAR RICHARDS, ANITA)	CASE NO. 10-23359-REB
FAY RICHARDS f/k/a ANITA F.)	
GRIGSBY,)	
)	
Debtor(s).)	
-----	-----	
)	
U.S. BANK, N.A. ITS ASSIGNS)	CONTESTED MATTER
AND/OR SUCCESSORS IN)	
INTEREST,)	
)	
Movant,)	
)	
vs.)	
)	
CHAD LAMAR RICHARDS, ANITA)	
FAY RICHARDS FKA ANITA F.)	
GRIGSBY, and ALBERT F.)	
NASUTI, as Trustee,)	
)	
Respondents.)	

ORDER

This matter arose upon the Motion for Relief From Stay of 11 U.S.C. § 362 filed by Movant, who contends it is the holder of a Deed to Secure Debt (hereinafter referred to as the "Security Deed"), encumbering certain property known as 3167 Centurion Drive, Gainesville, GA. 30506, as more particularly described in Exhibit "A" attached to the Motion (hereinafter referred to as the "Property"). Hearing before this Court was set for 10/19/2010, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest. No opposition was presented by Debtor, Debtor's counsel, or Trustee; accordingly, it is hereby

ORDERED that the automatic stay of 11 U.S.C. Section 362 is

modified to allow Movant, its successors and assigns, to commence foreclosure proceeding against the Property pursuant to applicable state law, and to assert any or all of its respective rights under applicable state law as to the collateral. It is further

ORDERED that all foreclosure sale proceeds which exceed Movant's lawful debt shall be paid to the Trustee promptly.

A copy of this Order shall be mailed to the individuals identified on the Distribution List attached hereto. It is

FURTHER ORDERED that relief granted herein shall not be stayed by BR 4001(a)(3).

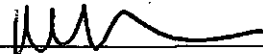
IT IS SO ORDERED, this the 19th day of October, 2010.



ROBERT E. BRIZENDINE
UNITED STATES BANKRUPTCY JUDGE

PRESENTED BY:

LEVINE, BLOCK & STRICKLAND, LLP

BY: 

Ronald A. Levine, Esq.
(GA Bar No. 448736)
Attorneys for Movant
780 Johnson Ferry Road
Suite 240
Atlanta, GA 30342
(404) 231-4567

Barrett, Daffin & Frappier, LLP
15000 Surveyor Boulevard
Suite 100
Addison, Texas 75001

PARTIES TO BE SERVED

Chad Lamar Richards
Anita Fay Richards fka Anita F. Grigsby
3167 Centurian Dr.
Gainesville, Georgia 30506

Robert M. Gardner, Jr., Esq.
Hicks, Massey & Gardner, LLP
53 West Candler Street
P.O. Box 721
Winder, Georgia 30680

Albert F. Nasuti, Esq.
40 Technology Parkway South, Suite 300
Norcross, GA 30092

Ronald A. Levine, Esq.
Levine, Block & Strickland, LLP.
780 Johnson Ferry Road
Suite 240
Atlanta, GA 30342